

1 BILL NO. R-97-12-04

2 RESOLUTION NO.

3 07-86-97

4 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
5 FORT WAYNE, INDIANA AUTHORIZING THE CITY OF FORT
6 WAYNE (THE CITY) TO ENTER INTO AN AMENDMENT TO
7 INTERLOCAL AGREEMENT WITH FORT WAYNE COMMUNITY
8 SCHOOLS (FWCS) FOR FUNDING FOR CAPITAL IMPROVEMENTS
9 TO THE PHYSICAL EDUCATION AND RECREATION FACILITIES
10 FOR MEMORIAL PARK MIDDLE SCHOOL.

11 WHEREAS, hereinbefore, on the 27th day of August, 1996, the Common Council
12 of the City of Fort Wayne passed a Resolution authorizing the City to enter into an
13 Interlocal Agreement with FWCS for funding for capital improvements to the physical
14 education and recreation facilities for Memorial Park Middle School, Bill No. R-96-08-
15 13; and

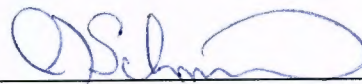
16 WHEREAS, the Interlocal Agreement was executed on the 20th day of
17 September, 1996; and

18 WHEREAS, the parties (the City and FWCS) find it necessary to amend
19 Paragraph No. 4 of the Interlocal Agreement, as set forth in the Amendment To Interlocal
20 Agreement (Exhibit A attached hereto and made a part hereof).

21 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
22 THE CITY OF FORT WAYNE, INDIANA, THAT:

23 SECTION 1. The Amendment to Interlocal Agreement by and between the City
24 of Fort Wayne, Indiana and Fort Wayne Community Schools, which Amendment To
25 Interlocal Agreement is attached hereto and made a part hereof as "Exhibit A", is hereby
26 ratified and approved.

27 SECTION 2. That this Resolution shall be in full force and effect from and after
28 its passage and any and all necessary approval by the Mayor.

29 

30 Councilmember

APPROVED AS TO FORM AND LEGALITY

Philip H. Larmore

Philip H. Larmore
Legal Advisor to Fort Wayne Common Council

Read the first time in full and on motion by Belmont,
and duly adopted, read the second time by title and referred to the Committee on
Finance, (and the City Plan Commission for recommendation)
and Public Hearing to be held after due legal notice, at the Common Council Conference
Room 128, City-County Building, Fort Wayne, Indiana, on _____,
the _____ day of _____, 19____ at _____
o'clock _____ M., E.S.T.

DATED: 12-9-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmont,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 12-9-97

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____ (SPECIAL) _____

(ZONING) _____ ORDINANCE _____ RESOLUTION NO. 09-86-97
on the 9th day of December, 19 97

ATTEST: Sandra E. Kennedy SEAL Thomas P. Henry
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
10th day of December, 19 97,
at the hour of 1:20 o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day
of December, 19 97, at the hour of 1:00
o'clock _____ M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

BILL NO. R-97-12-04

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (~~ORDINANCE~~) ~~XXXXXXXXXX~~ (RESOLUTION) Authorizing the City to enter
into an amendment to Interlocal Agreement with the Fort Wayne
Community Schools

HAVE HAD SAID (~~ORDINANCE~~) ~~XXXXXXXXXX~~ (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) ~~XXXX~~ (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

all Councel Members

DATED: 12-9-97.

Sandra E. Kennedy
City Clerk

AMENDMENT TO INTERLOCAL AGREEMENT

THIS AMENDMENT TO INTERLOCAL AGREEMENT between the CITY OF FORT WAYNE (the "City") and the FORT WAYNE COMMUNITY SCHOOLS, by and through its Board of School Trustees (FWCS) is made on this _____ day of December, 1997;

WHEREAS, previously on the 20th day of September, 1996, the parties entered into an Interlocal Agreement, pertaining to the construction and use of facilities at Memorial Park Middle School;

WHEREAS, the parties wish to modify and amend the Interlocal Agreement, as hereinafter set forth;

NOW THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

1. Paragraph No. 4 of the Interlocal Agreement is amended to read, as follows:

"Duties of the City. The City will reimburse FWCS for half the cost of the construction of the Facilities up to \$110,000.00, said reimbursement payable immediately, and to abide by FWCS requirements regarding the scheduling and use of the leased property."

2. Except for the amendment set forth above, the said Interlocal Agreement shall continue in full force and effect, as previously drafted and executed.

IN WITNESS WHEREOF, the undersigned have executed the Amendment to Interlocal Agreement on the date set forth above.

CITY OF FORT WAYNE
By: Paul Helmke
Paul Helmke, Mayor

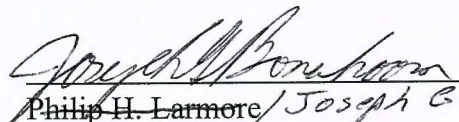
By: Kathy Friend
Kathy Friend, Controller

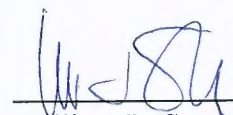
FORT WAYNE COMMUNITY SCHOOLS
By: Carol J. Coen
Carol Coen, Board President

By: Thomas Fowler-Finn
Thomas Fowler-Finn, Superintendent

By: Michael F. Rice
Michael F. Rice
Chief Financial Officer

APPROVED AS TO FORM AND LEGALITY


~~Philip H. Larmore~~ / Joseph C. Bongiorno
Legal Advisor to Fort Wayne Common Council


William L. Sweet, Jr.
Legal Advisor to Fort Wayne Community Schools



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

MEMBER OF THE COMMON COUNCIL

Gina Kostoff, Room 290

November 26, 1997

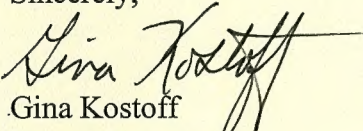
David Beer
FWCS
Grile Administrative Center
1200 South Clinton
Fort Wayne, IN 46802

Dear Mr. Beer:

Enclosed please find an Amendment to Interlocal Agreement our attorney advises us that we must have before we can release any additional funds. Once signed by all parties, this agreement and the accompanying resolution will go before City Council on December 9, 1997. I am hoping to be able to have this introduced, discussed and passed all on the same evening. I need this back by December 5, 1997.

If you have any questions, please feel free to contact me at 427-1445.

Sincerely,


Gina Kostoff
Research Assistant